

ASSEMBLY BILL

No. 947

Introduced by Assembly Member Brownley

February 26, 2009

An act to amend Section 76141 of the Education Code, relating to nonresident tuition.

LEGISLATIVE COUNSEL'S DIGEST

AB 947, as introduced, Brownley. Community colleges: nonresident tuition: foreign citizens.

Existing law requires a community college district to charge a nonresident tuition fee to nonresident students, with certain exceptions. Existing law requires the fee to be set according to a formula that, with other modifications, divides the expense of education in the district by the number of full-time equivalent students, as defined, attending in the district in the preceding fiscal year.

Existing law also authorizes a community college district to charge an additional fee in addition to the nonresident tuition fee to nonresident students who are both citizens and residents of a foreign county. The additional fee may be as high as the amount that was expended by the district for capital outlay in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding year, so long as the fee does not exceed 50% of the nonresident tuition fee.

This bill would instead authorize a community college district to charge the additional fee to any nonresident student by deleting the condition that the nonresident be a citizen and resident of a foreign country.

This bill would delete an obsolete reference.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 76141 of the Education Code is amended
2 to read:
3 76141. (a) In addition to the nonresident tuition fee established
4 pursuant to Section 76140, a community college district may charge
5 to nonresident students ~~who are both citizens and residents of a~~
6 ~~foreign country~~ an amount not to exceed the amount that was
7 expended by the district for capital outlay in the preceding fiscal
8 year divided by the total full-time equivalent students of the district
9 in the preceding fiscal year.
10 (b) Any fee charged pursuant to this section shall not exceed
11 50 percent of the nonresident tuition fee established pursuant to
12 Section 76140.
13 (c) (1) Any student who can demonstrate economic hardship,
14 or who is a victim of persecution or discrimination in the country
15 in which the student is a citizen and resident, is exempt from this
16 fee.
17 (2) For purposes of this section, the governing board of each
18 community college district that chooses to impose the fee
19 authorized by this section shall adopt a definition of economic
20 hardship that encompasses the financial circumstances of a person
21 who is a recipient of benefits under the Temporary Assistance for
22 Needy Families program described in ~~Parts~~ *Part A and F* of Title
23 IV of the Social Security Act (42 U.S.C. Secs. 601 et seq.), the
24 Supplemental Income/State Supplementary Program, or a general
25 assistance program.
26 (d) Revenue from any fee charged pursuant to this section shall
27 be expended only for purposes of capital outlay, maintenance, and
28 equipment.

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